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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN M. KELLY,
SUSAN S. CRANE,
WILLIAM J. BICHSEL,
ANNE MONTGOMERY, and
LYNNE T. GREENWALD,

Defendants.

NO. *CR10-5586 BHS*

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Conspiracy)

On or about November 2, 2009, at Silverdale, within the Western District of Washington and elsewhere, STEPHEN M. KELLY, SUSAN S. CRANE, WILLIAM J. BICHSEL, ANNE MONTGOMERY, LYNNE T. GREENWALD, and others, known and unknown to the Grand Jury, willfully and knowingly agreed, combined, and conspired to commit offenses against the United States, to wit: (1) to go upon Naval Base Kitsap-Bangor, a United States Naval installation, with knowledge that they needed, and did not have, authorization to do so and for a purpose prohibited by law, in violation of Title 18, United States Code, Section 1382; (2) to willfully and maliciously destroy and injure real and personal property within the special territorial jurisdiction of the United States, in

1 violation of Title 18, United States Code, Section 1363; and (3) to willfully injure and
2 commit a depredation against property of the United States and a department and agency
3 thereof, that is, the United States Navy, and the resulting damage was in excess of \$1,000, in
4 violation of Title 18, United States Code, Section 1361.

5 **OVERT ACTS**

6 During the course of and in furtherance of the conspiracy, STEPHEN M. KELLY,
7 SUSAN S. CRANE, WILLIAM J. BICHSEL, ANNE MONTGOMERY, LYNNE T.
8 GREENWALD, and others, known and unknown to the Grand Jury, committed the
9 following overt acts, among others, within the Western District of Washington and
10 elsewhere:

11 1. On or about November 2, 2009, STEPHEN M. KELLY, SUSAN S. CRANE,
12 WILLIAM J. BICHSEL, ANNE MONTGOMERY, and LYNNE T. GREENWALD cut a
13 hole in the perimeter chain link fence surrounding Naval Base Kitsap-Bangor, in Silverdale,
14 Washington.

15 2. On or about November 2, 2009, STEPHEN M. KELLY, SUSAN S. CRANE,
16 WILLIAM J. BICHSEL, ANNE MONTGOMERY, and LYNNE T. GREENWALD
17 climbed through the hole in the fence that they had cut and, without authorization, entered
18 Naval Base Kitsap-Bangor.

19 3. On or about November 2, 2009, STEPHEN M. KELLY, SUSAN S. CRANE,
20 WILLIAM J. BICHSEL, ANNE MONTGOMERY, and LYNNE T. GREENWALD walked
21 across Naval Base Kitsap-Bangor to a restricted area referred to as the Main Limited Area
22 ("MLA").

23 4. On or about November 2, 2009, STEPHEN M. KELLY, SUSAN S. CRANE,
24 WILLIAM J. BICHSEL, ANNE MONTGOMERY, and LYNNE T. GREENWALD cut
25 holes in the inner and outer chain link fences surrounding the MLA.

26 5. On or about November 2, 2009, STEPHEN M. KELLY, SUSAN S. CRANE,
27 WILLIAM J. BICHSEL, ANNE MONTGOMERY, and LYNNE T. GREENWALD
28

1 climbed through the holes they had cut in the inner and outer chain link fences surrounding
2 the MLA and entered the MLA.

3 All in violation of Title 18, United States Code, Section 371.

4 **COUNT TWO**

5 **(Trespass)**

6 On or about November 2, 2009, at Silverdale, within the Western District of
7 Washington, STEPHEN M. KELLY, SUSAN S. CRANE, and ANNE MONTGOMERY
8 (1) went upon Naval Base Kitsap, a United States Naval installation, with knowledge that
9 they needed, and did not have, authorization to do so; and (2) went upon Naval Base Kitsap-
10 Bangor, a United States Naval installation, for a purpose prohibited by law, that is, intending
11 to engage in Destruction of Property on a Naval Installation, in violation of Title 18, United
12 States Code, Section 1363, as charged in Count Four of this Indictment, and Depredation of
13 Government Property, in violation of Title 18, United States Code, Section 1361, as charged
14 in Count Five of this Indictment.

15 All in violation of Title 18, United States Code, Section 1382 and Section 2.

16 **COUNT THREE**

17 **(Trespass)**

18 On or about November 2, 2009, at Silverdale, within the Western District of
19 Washington, WILLIAM J. BICHSEL and LYNNE T. GREENWALD (1) reentered and
20 were found within Naval Base Kitsap-Bangor, a United States Naval installation, after
21 having been ordered not to reenter by the issuance of a Barment Letter to WILLIAM J.
22 BICHSEL by the base commander on or about January 15, 2007, and the issuance of a
23 Barment Letter to LYNNE T. GREENWALD by the base commander on or about May 15,
24 2006; (2) went upon Naval Base Kitsap-Bangor, a United States Naval installation, with
25 knowledge that they needed, and did not have, authorization to do so; and (3) went upon
26 Naval Base Kitsap-Bangor, a United States Naval installation, for a purpose prohibited by
27 law, that is, intending to engage in Destruction of Property on a Naval Installation, in
28 violation of Title 18, United States Code, Section 1363, as charged in Count Four of this

1 | Indictment, and Depredation of Government Property, in violation of Title 18, United States
2 | Code, Section 1361, as charged in Count Five of this Indictment.

3 | All in violation of Title 18, United States Code, Section 1382 and Section 2.

4 | **COUNT FOUR**

5 | **(Destruction of Property on a Naval Installation)**

6 | On or about November 2, 2009, at Silverdale, within the Western District of
7 | Washington, STEPHEN M. KELLY, SUSAN S. CRANE, WILLIAM J. BICHSEL, ANNE
8 | MONTGOMERY, and LYNNE T. GREENWALD, within the special territorial jurisdiction
9 | of the United States, as defined by Title 18, United States Code, Section 7, that is, within
10 | Naval Base Kitsap-Bangor, a United States Naval installation, did willfully and maliciously
11 | destroy and injure and attempt to destroy and injure real and personal property of the United
12 | States Navy, in that STEPHEN M. KELLY, SUSAN S. CRANE, WILLIAM J. BICHSEL,
13 | ANNE MONTGOMERY, and LYNNE T. GREENWALD used bolt cutters to cut a chain
14 | link fence surrounding the perimeter of Kitsap Naval Base-Bangor and to cut the inner and
15 | outer chain link fences and the alarm system wiring surrounding a restricted area within
16 | Naval Base Kitsap-Bangor referred to as the Main Limited Area.

17 | All in violation of Title 18, United States Code, Section 1363 and Section 2.

18 | **COUNT FIVE**

19 | **(Depredation of Government Property)**

20 | On or about November 2, 2009, at Silverdale, within the Western District of
21 | Washington, STEPHEN M. KELLY, SUSAN S. CRANE, WILLIAM J. BICHSEL, ANNE
22 | MONTGOMERY, and LYNNE T. GREENWALD did willfully injure and commit a
23 | depredation against property of the United States and a department and agency thereof, that
24 | is, the United States Navy, in that STEPHEN M. KELLY, SUSAN S. CRANE,
25 | WILLIAM J. BICHSEL, ANNE MONTGOMERY, and LYNNE T. GREENWALD used
26 | bolt cutters to cut a chain link fence surrounding the perimeter of Kitsap Naval Base-Bangor
27 | and to cut the inner and outer chain link fences and the alarm system wiring surrounding a
28 | restricted area within Naval Base Kitsap-Bangor referred to as the Main Limited Area, and

1 resulting damage was in excess of \$1,000.00.

2 All in violation of Title 18, United States Code, Section 1361 and Section 2.

3 A TRUE BILL:

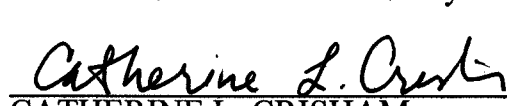
4 DATED: *Sept 2 2010*

5 *Signature of Foreperson redacted pursuant*
6 *to the policy of the Judicial Conference*
7 *of the United States.*
8 _____

9 
10 NENNY A. DURKAN
11 United States Attorney

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13 CARL BLACKSTONE
14 Assistant United States Attorney

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16 ARLEN R. STORM
17 Assistant United States Attorney

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